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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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STEPHEN CAMPBELL,

Plaintiff,

v.

DEPARTMENT OF TRANSPORTATION; AND
FEDERAL AVIATION ADMINISTRATION,

Defendants.

Civil Action
No. CV-07-0469

(Wexler, J.)
(Wall, M.J.)

**ORDER DISMISSING
ACTION PURSUANT TO
FED. R. CIV. P. 12(b)(1) & (6),
OR, IN THE ALTERNATIVE, 56**

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This matter having come on to be heard on November 27, 2007, on defendants' motion pursuant to Rule 12(b)(1) and (6) of the Federal Rules of Civil Procedure for dismissal of the action in its entirety or, in the alternative, pursuant to Rule 56 of the Federal Rules of Civil Procedure for summary judgment, the parties having had full opportunity to be heard, and the Court having considered all the papers submitted in support of and in opposition to the motion and after due deliberation, the Court having determined that the defendants' motion should be granted for the reasons set forth on the record, it is hereby ORDERED that:

1. The defendants' motion pursuant to Rule 12(b)(1) & (6) of the Federal Rules of Civil Procedure or, in the alternative, Rule 56, is granted for the reasons set forth on the record in open court on November 27, 2007.
2. The action is dismissed, with prejudice.
3. The Clerk is directed to enter a final judgment in this matter directing that plaintiff take nothing from defendants and that all claims against defendants be dismissed with prejudice.

SO ORDERED:

11/30, 2007
Central Islip, New York

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HONORABLE LEONARD D. WEXLER
United States District Judge
Eastern District of New York